

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

BURTON A. SMITH,

Plaintiff,

v.

MICHAEL J. ASTRUE,
COMMISSIONER OF THE SOCIAL
SECURITY ADMINISTRATION,

Defendant.

CIVIL ACTION

No. 07-3943

MEMORANDUM/ORDER

July 3, 2008

On June 16, 2008, the court received a letter from plaintiff, Burton A. Smith, inquiring into the status of the instant action. In this letter, Mr. Burton states that he has not received word from the court since January 2008 regarding the instant action. Upon receiving this letter, the court examined the docket report for this case, and discovered that it erroneously lists Mr. Smith, who is proceeding pro se, as being represented by an attorney for the Social Security Administration. It does not appear that Mr. Smith's address is listed on the docket report.

On May 20, 2008, a Report and Recommendation ("R&R") was filed by Magistrate Judge Rapoport. Docket No. 12. However, it appears that, because of the docket error, no copy of the R&R was delivered to Mr. Smith. The court therefore requests that the Clerk of Court provide Mr. Smith with a copy of the R&R, and the

deadline by which Mr. Smith must file written objections to the R&R will be extended in light of the clerical error.

Accordingly, it is hereby ORDERED that:

(1) The Clerk of Court shall revise the docket report in this case to show that plaintiff is representing himself, and that plaintiff's address is:

Burton A. Smith
28 S. Warner Ave.
Bryn Mawr, PA 19010.

(2) The Clerk of Court shall send plaintiff a copy of the Report and Recommendation filed May 20, 2008, Docket No. 12.

(3) Within ten days of service of the Report and Recommendation, plaintiff may file in writing any objections he may have to the Report and Recommendation.

BY THE COURT:

/s/ Louis H. Pollak

Pollak, J.